

United States District Court

DISTRICT OF DELAWARE

SUMMONS IN A CIVIL ACTION

RONALD A. KATZ TECHNOLOGY
LICENSING, L.P.,

Plaintiff,

v.

CASE NUMBER: 06 - 543

RELIANT ENERGY, INC.; RELIANT
ENERGY RETAIL SERVICES, LLC; PEPCO
HOLDINGS, INC.; PHI SERVICE COMPANY;
DELMARVA POWER & LIGHT COMPANY;
DUKE ENERGY CORPORATION; CINERGY
CORP.,

Defendants.

TO: DUKE ENERGY CORP.
c/o The Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, DE 19801

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY:

Julia Heaney (#3052)
Morris, Nichols, Arsht & Tunnell LLP
1201 North Market Street; P.O. Box 1347
Wilmington, DE 19899-1347
302-658-9200

an answer to the Complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

SEP 01 2006

CLERK

DATE

BY DEPUTY CLERK
534911

AO 440 (REV. 10/93) Summons In a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me¹

DATE

September 5, 2006

NAME OF SERVER (PRINT)

SCOTT BARBER

TITLE

Messenger

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: _____☐ Left copies thereof at the defendant's dwelling house or usual place of abode with person of suitable age and direction then residing therein.

Name of person with whom the summons and complaint were left: _____

☐ Returned unexecuted: _____

☐ Other (specify): Service of the Summons and Complaint was made upon defendant Duke Energy Corporation by delivering copies thereof to defendant's registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801.

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

9/5/2006
Date*Scott Barber*
Signature of Server

Morris, Nichols, Arsht & Tunnell LLP
1201 N. Market Street, Wilmington, DE 19801
Address of Server

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure